

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

No. 7:14-CR-43-1H

UNITED STATES OF AMERICA,            )  
  )  
          v.                                )  
  )  
SHAWN SCOTT FONVILLE,                )  
          Defendant.                    )

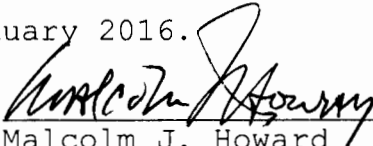
**ORDER**

The court referred this matter to United States Magistrate Judge Kimberly A. Swank for review of defendant's Motion to Suppress. After conducting a hearing on this matter August 20, 2015, Magistrate Judge Swank filed a Memorandum and Recommendation ("M&R") recommending defendant's Motion to Suppress, as orally amended at the hearing, be denied. [D.E. #40 at 8]. Defendant filed timely objections to the M&R on November 6, 2015. [D.E. #48].

The court has carefully reviewed the M&R, objections, and other documents of record. Based on its de novo review, see 28 U.S.C. § 636(b) (After conducting a de novo review, the district judge may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge..."), the court finds that the recommendation of Magistrate Judge Swank is, in all respects, in accordance with the law and should be approved.

Accordingly, the court wholly ADOPTS the recommendation of Magistrate Judge Swank. Defendant's Motion to Suppress, [D.E. #24], as orally amended at hearing, shall therefore be DENIED.

This 19<sup>th</sup> day of January 2016.

  
\_\_\_\_\_  
Malcolm J. Howard  
Senior United States District Judge

At Greenville, NC  
#34